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DIRECTOR'S OFFICE
TECHNOLOGY CENTER 2600

In re Application of
TAKAO, KOJI, et al.
Application No. 10/542,765
Filed: July 20, 2005
For: **RECORDING APPARATUS**

DECISION ON PETITION
TO RESTART PERIOD

This is a decision on the Petition to Reset the Period for Reply under 37 CFR § 1.181(a) filed July 13, 2007. No fee is required.

Petitioner alleges non-receipt of the non-final Office action mailed April 2, 2007. In support of the petition, petitioner has provided a statement that the office communication was not received by the petitioner. On July 10, 2007 petitioner states, a routine review of the applications status by accessing the PAIR database, was performed. It was at that time when applicants noticed an office action was mailed on April 2, 2007. Subsequently the office action was downloaded and docketed. A copy of the docket record where the nonreceived office communication would have been entered had it been received and docketed was also provided.

A review of the file finds that the U.S. Postal Service returned the original non-final Office action. Although, there was no finding of irregularity in the correspondence address, there was an obvious irregularity in mailing since the Office action was returned.

The petition is **GRANTED**.

The application file will be forwarded to the Technology Center's technical support staff for re-mailing of the non-final Office action originally mailed on April 2, 2007. The shortened statutory period of three months will be set to begin as of the mailing thereof.

Michael Horabik
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Communications